



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

**Government Center
4800 W. Copans Road
Coconut Creek, Florida**

**Date: June 24, 2021
Time: 7:00 p.m.
Regular Meeting No. 2021-0624R**

CALL TO ORDER

Mayor Tooley called the meeting to order at 7:01 p.m.

PRESENT UPON ROLL CALL:

Mayor Rebecca A. Tooley
Vice Mayor Joshua Rydell
Commissioner Lou Sarbone
Commissioner Sandra L. Welch
Commissioner Jacqueline Railey
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
Deputy City Clerk Marianne Bowers

Mayor Tooley asked all to rise for the Pledge of Allegiance and a moment of silence for all who lost their lives in the Surfside building collapse.

Mayor Tooley explained that Governor Ron DeSantis' Executive Order 20-52, as continuously extended, and Section 252.38, Florida Statutes, authorized all local governments to waive procedures and formalities otherwise required by both state and local law as necessary to allow local governments to continue to perform public work and take whatever prudent action is necessary to ensure the health, safety, and welfare of the community. She noted that the meeting was being conducted live with a quorum physically present consistent with the Governor's Order and State law. City Attorney Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATION(S)

- 1. 21-143** A PRESENTATION OF THE LIFESAVING COMMENDATION AWARD FOR SERGEANT BRIAN MULLIN AND A DEPARTMENT CITIZEN COMMENDATION AWARD FOR MR. RAYAN ISSA.

Police Chief Albert "Butch" Arenal made a presentation recognizing Sergeant Brian Mullin and Rayan Issa for their lifesaving efforts following a car accident at the intersection of Lyons Road and Hillsboro Boulevard on February 3, 2021.

- 2. 21-090** A PRESENTATION RECOGNIZING SECOND AND THIRD QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2021.

Human Resources Director Pamela Kershaw recognized the following employees who had reached a milestone anniversary during the second and third quarters of Fiscal Year 2021.

Five (5) Year Anniversary:

Leonardo Moleiro, Special Events Planner, Parks & Recreation

Jacqueline Pomerantz, Parks & Recreation Supervisor, Parks & Recreation
Donald Davis, Police Sergeant, Police Department
Kennard Garvey, Police Officer, Police Department
Wendy Martin, Police Background Specialist, Police Department
Aleesha Korth, Zoning Officer, Sustainable Development

Ten (10) Year Anniversary:

Roger Hall, Police Sergeant, Police Department
James Berkman, Public Works Director, Public Works
Derrick Lockett, Senior Bus Driver, Public Works
John Tetteris, Public Works Superintendent, Public Works

Fifteen Year Anniversary:

Ester Edouard, Customer Service Representative, Parks & Recreation
Joshua Bailey, Police Officer, Police Department

Twenty Year Anniversary:

Karen Hameed, Administrative Assistant, Parks & Recreation
Brandi DelVecchio, Police Lieutenant, Police Department
John Yancey, Senior Leadworker, Public Works
Lizet Aguiar, Principal Planner, Sustainable Development
Scott Stoudenmire, Sustainable Development Director, Sustainable Development

Twenty-Five Year Anniversary:

Linda Jeethan, Procurement Manager, Finance & Administrative Services
Chad Hancock, Wastewater Supervisor, Utilities & Engineering

3. 21-082 A PROCLAMATION RECOGNIZING JULY 2021 AS “NATIONAL PARKS AND RECREATION MONTH.”

Mayor Tooley read the proclamation into the record, which was accepted by several Parks and Recreation staff members.

INPUT FROM THE PUBLIC

Neil Eichelbaum, 2218 Sea Grape Circle, Coconut Creek, spoke regarding trespassers at the Sawgrass Village Homeowners Association pool and requested that an ordinance be considered to deny violators the right to seek damages for injuries sustained while trespassing.

Mayor Tooley responded that if legislation was sought, she would recommend speaking with State Representative Christine Hunschofsky’s office. City Attorney Pyburn stated that staff would investigate the request and see what could be done in response. She explained trespassing was regulated under State law. Vice Mayor Rydell commented that there was nothing the City Commission could pass as an ordinance or resolution to preempt State Statute, but there were actions the association’s attorney could take to address the issue proactively.

Deputy City Clerk Bowers stated there were no advanced public comments received for non-agenda or consent agenda items.

REGULAR AGENDA

City Clerk

4. **21-141** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2021-0527R)

MOTION: Sarbone/Rydell – To approve the May 27, 2021, Commission Meeting minutes.

Upon roll call, the Motion passed by a 5-0 vote.

Finance Department

5. **ORD** AN ORDINANCE AMENDING ORDINANCE NO. 2006-27, BY AMENDING THE
2021-017 NON-EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY OF
 COCONUT CREEK AND PEOPLES GAS SYSTEM, A DIVISION OF TAMPA
 ELECTRIC COMPANY, TO PROVIDE GAS SERVICES AND TO USE PUBLIC
 RIGHTS-OF-WAY OF THE CITY OF COCONUT CREEK, DATED OCTOBER 16,
 2006, IN ORDER TO RENEW THE AGREEMENT FOR FIFTEEN (15) YEARS
 AND TO PROVIDE FOR UPDATES CONSISTENT WITH CHANGES TO STATE
 LAW AND THE CITY’S CODE. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Welch – To approve Ordinance No. 2021-017 on first reading.

City Attorney Pyburn noted there were additional text amendments provided by General Counsel from Peoples Gas, which clarified language and were not substantive. She noted the updated version had been uploaded within the past 24 hours due to a medical emergency of the Peoples Gas representative.

Director of Finance and Administrative Services Peta-Gay Lake presented the item, explaining this was the first reading of the Ordinance to renew the non-exclusive franchise agreement for gas services. She stated the agreement generates about \$12,000 in annual revenue.

Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak.

Upon roll call, the Ordinance passed on first reading by a 5-0 vote.

6. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
2021-128 EXECUTE AN AGREEMENT WITH TD BANK, N.A. FOR THE PURPOSE OF
 PROVIDING BANKING SERVICES TO THE CITY PURSUANT TO RFP NO. 03-
 17-21-10.

Mayor Tooley read the Resolution title into the record.

MOTION: Rydell/Welch – To approve Resolution No. 2021-128.

Discussion ensued regarding the transfer from SunTrust to TD Bank.

Deputy City Clerk Bowers stated there were no advanced public comments received for the item,

and no one had signed in to speak.

Upon roll call, the Resolution passed by a 5-0 vote.

Fire Rescue Administration

7. **ORD 2021-013** AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY’S CODE OF ORDINANCES TO RENAME ARTICLE V AS “FIRE RESCUE DEPARTMENT FEES,” DELETE FIRE DEPARTMENT FEES, PROVIDE APPROPRIATE AUTHORITY TO THE FIRE RESCUE DEPARTMENT FOR BILLING AND COLLECTING FEES, AND AUTHORIZE THE SETTING OF FIRE AND RESCUE FEES BY RESOLUTION. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Rydell – To adopt Ordinance No. 2021-013.

Fire Chief Jeffrey Gary noted this was second reading on the Ordinance and he was available for any questions.

There being no questions from the Commission, Mayor Tooley opened the public hearing. Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

Upon roll call, the Ordinance passed by a 5-0 vote.

8. **ORD 2021-014** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, “ADMINISTRATION,” AND CHAPTER 6, “BUILDINGS AND BUILDING REGULATIONS,” TO IDENTIFY THE FIRE RESCUE DEPARTMENT; RENAMING CHAPTER 9, “FIRE PREVENTION AND PROTECTION,” TO “FIRE RESCUE AND COMMUNITY RISK REDUCTION SERVICES,” AND AMENDING THE CHAPTER TO PROVIDE DEFINITIONS FOR USE WITH THE FLORIDA FIRE PREVENTION CODE, PROVIDE FOR RESPONSIBILITIES AND AUTHORITIES FOR THE FIRE CHIEF AND FIRE MARSHAL, AND REQUIRE A RECEIVER ON ALL COMMUNITY ACCESS GATES TO PROVIDE POLICE AND FIRE ACCESS; AND AMENDING CHAPTER 21, “PERSONNEL ADMINISTRATION,” ARTICLE II, “AT-WILL EMPLOYEES POLICIES AND PROCEDURES MANUAL,” SECTION 21-22.5, “PROHIBITION ON CAMPAIGN ACTIVITIES,” TO INCLUDE FIRE CHIEF, DEPUTY/ASSISTANT FIRE CHIEF AND RENAME DEPUTY OR ASSISTANT REFERENCES TO DEPUTY/ASSISTANT TO ENSURE UNIFORM APPLICATION OF THE PROHIBITION. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Railey – To adopt Ordinance No. 2021-014.

Fire Chief Jeffrey Gary noted this was second reading on the Ordinance and he was available for any questions.

Vice Mayor Rydell asked about the prohibition on campaign activities and clarified that there would not be a conflict with any future unionizing. City Manager Brooks explained the Fire Chief, Deputy Chief, and Assistant Chief would be would not be members of the union. Discussion ensued regarding unions and campaign activities.

Mayor Tooley opened the public hearing on the item. Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

Upon roll call, the Ordinance passed by a 5-0 vote.

9. **RES 2021-123** A RESOLUTION ADOPTING THE FIRE RESCUE DEPARTMENT FEE SCHEDULE FOR FIRE, RESCUE AND COMMUNITY RISK REDUCTION FEES.

Mayor Tooley read the Resolution title into the record.

MOTION: Rydell/Railey – To approve Resolution No. 2021-123.

Fire Chief Jeffrey Gary presented the item, noting the Resolution set the fire, rescue, and emergency fees. Commissioner Welch clarified that no rates were being changed. City Manager Brooks stated there were no increases to these fees, but the fire assessment fee would be discussed at a future meeting.

Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak.

Upon roll call, the Resolution passed by a 5-0 vote.

Sustainable Development

10. **RES 2021-124** A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR PREPARATION, IMPLEMENTATION, AND ADMINISTRATION BY BROWARD COUNTY OF THE CITY OF COCONUT CREEK COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEARS (PY) 2017-2018, 2018-2019, AND 2019-2020 TO INCLUDE CDBG PY 2020-2021 ALLOCATION.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To approve Resolution No. 2021-124.

Director of Sustainable Development Scott Stoudenmire presented the item, explaining the amendment would allow COVID-19 funds to be included in the County's administration.

Discussion ensued regarding the summary of rental assistance and Meals on Wheels. Director Stoudenmire stated that 62 residents were served through Meals on Wheels, 52 residents were assisted with rent or utility assistance, and numbers were growing each day. Vice Mayor Rydell added that 312 residents benefitted from Yellow Cab services.

Deputy City Clerk Bowers stated there were no advanced public comments received for the item,

and no one had signed in to speak.

Upon roll call, the Resolution passed by a 5-0 vote.

11. **RES 2021-125** A RESOLUTION SELECTING THE PROGRAM YEAR 2021 COMMUNITY DEVELOPMENT BLOCK GRAND (CDBG) AND PROGRAM YEAR 2021 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AFFORDABLE HOUSING ACTIVITIES. (PUBLIC HEARING)

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To approve Resolution No. 2021-125.

Director of Sustainable Development Stoudenmire presented the item, stating that staff recommended using the funds for purchase assistance. He explained the process was more streamlined than in the action plan utilized in the past and that it was the only program that did not have funds available at this time. Discussion ensued regarding the program's past allocations.

Mayor Tooley opened the public hearing on the item. Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

Upon roll call, the Resolution passed by a 5-0 vote.

Information Technology

12. **RES 2021-134** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE MASTER AGREEMENT (SINGLE SOURCE) WITH CENTRALSQUARE TECHNOLOGIES, LLC, FOR VARIOUS LEGACY SOFTWARE LICENSES, SERVICES, AND SUPPORT THAT FACILITATE DAY-TO-DAY OPERATIONS OF THE CITY'S POLICE DEPARTMENT, FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT, AND SUSTAINABLE DEVELOPMENT DEPARTMENT.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To adopt Resolution No. 2021-134.

Chief Information Officer Francisco Porras presented the item, commenting that this master agreement was a consolidation of all the agreements currently held with CentralSquare into a master agreement.

Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak.

Upon roll call, the Resolution passed by a 5-0 vote.

City Attorney

13. **ORD 2021-012** AN ORDINANCE AMENDING CHAPTER 16, "OUTDOOR SALES AND ACTIVITIES," ARTICLE I, "IN GENERAL," RENAMING ARTICLE II,

“TEMPORARY STATIONARY PEDDLING/VENDING SALES AND OUTDOOR USE REGULATIONS,” AS “TEMPORARY MOBILE VENDING SALES AND OUTDOOR USES REGULATIONS,” AND AMENDING SAME AND RENAMING ARTICLE III, “MOBILE PEDDLING/VENDING SALES,” AS “MOBILE VENDING SALES;” AND AMENDING CHAPTER 17, “STREETS, SIDEWALKS, WATERWAYS, AND OTHER PUBLIC PLACES,” ARTICLE II, “PICKETING, PARADES, DEMONSTRATIONS, BLOCK PARTIES,” DIVISION 1, “GENERALLY,” AND DIVISION 2, “PERMIT,” TO UPDATE LANGUAGE IN CHAPTERS 16 AND 17 AFFECTING OUTDOOR ACTIVITIES AND EVENTS TO REFLECT CURRENT PROCEDURES, TERMS AND DEPARTMENT NAMES, REMOVE OBSOLETE PERMITTING AND LICENSURE REQUIREMENTS FOR FOOD AND BEVERAGE VENDORS, AND CLARIFY THAT FIREARMS ARE NOT REGULATED BY THE CITY. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Rydell – To adopt Ordinance No. 2021-012.

City Attorney Pyburn presented the item.

Mayor Tooley opened the public hearing on the item. Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

Upon roll call, the Ordinance passed by a 5-0 vote.

City Manager

14. 21-136 A MOTION TO ACCEPT THE VISION 2030 STRATEGIC VISION.

MOTION: Welch/Railey – To accept the Vision 2030 Strategic Vision.

Assistant to the City Manager Bernadette Hughes, introduced Sheryl Trent, SBrand Consulting, and thanked everyone who helped with the strategic visioning process. She outlined the community input that had been integrated to shape the document through surveys, community meetings, and input at public events.

Ms. Trent presented the Vision 2030 document, explaining that it was a living document, which would be updated over time with successes and lessons learned. She noted the full document could be found on the City’s website and proceeded to review each page of the document with the Commission. She discussed the Vision 2030 strategic process and reiterated the outreach and engagement that was used to create it. She reviewed definitions and how the strategic vision would be used moving forward, addressing the full range of City services.

Ms. Trent highlighted some of the discussion questions that had been a part of the survey process and shared the aggregated data collected from community input. She introduced the framework for Vision 2030, including the City’s new proposed Vision, Mission Statement, and Values, and discussed each of the following five (5) key areas of focus within the plan:

- Adaptive and Progressive Mobility
- High Performance Government
- Safety and Quality of Life

- Smart Growth
- Sustainable Environment

Commissioner Sarbone spoke in favor of the visioning document and asked about the next steps. Assistant to the City Manager Hughes discussed aligning the plan to the budget and long-term planning.

Commissioner Welch commented that the challenge would be implementing the small town feel while working with the growth they know is coming. She asked if the performance measures would be implemented in the next budget session. Assistant to the City Manager Hughes stated that the action items and performance items were being developed and would be incorporated in the Fiscal Year 2023 budget process. City Manager Brooks added that they would be integrating what they could during the budget cycle in process for Fiscal Year 2022, but it would be fully implemented in the next budget process.

Commissioner Welch, Commissioner Railey, Vice Mayor Rydell, and Mayor Tooley all spoke in favor of the vision.

Deputy City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak.

Upon roll call, the Motion passed by a 5-0 vote.

CITY MANAGER REPORT

City Manager Brooks provided an update on insecticide application in the parks. She presented a certificate from the Florida League of Cities, recognizing Mayor Tooley as a Home Rule Hero. City Manager Brooks outlined the process for setting the preliminary Millage Rate and stated a rate needed to be adopted for Truth in Millage (TRIM) notices due to not having a regular Commission meeting scheduled for July. She explained the current Millage Rate was 6.5378 and recommended balancing the budget with a reduced Millage Rate of 1.4 percent to match the Consumer Price Index for the Save Our Homes Act, which would result in no tax increase for homesteaded homeowners. City Manager Brooks noted that once a preliminary Millage Rate is advertised, it can be reduced but cannot be increased. She stated the rate would be 6.4463.

City Manager Brooks discussed the solid waste fee, currently set at \$324.44 for single family residences. She recommended reducing the fee to \$317.04. She stated the last review of fire assessment had built-in the increases for several years and noted in the current year there had been a 25 percent increase scheduled due to the addition of the new fire station. City Manager Brooks stated that the increase was necessary whether the City stayed with Margate or went out on their own for fire services, but it had not been implemented in the current fiscal year. She stated the current rate was \$196.13 for single family residences, and a 25 percent increase would move the rate to \$245.16. She noted the fire assessment study was not complete, but based on preliminary numbers, she recommended putting the increase on the TRIM. She pointed out the study was still ongoing, and the goal was a lower fee. City Manager Brooks stated that a workshop to discuss the fire assessment was scheduled for August 5, but the TRIM deadline was August 4. She asked for consensus for a rate to be included on the TRIM notice up to the 25 percent increase. City Manager Brooks commented that staff was striving for something less than that. She asked that the Commission keep in mind that services were being added. Discussion ensued regarding the proposed fire rate increase and the fees of the neighboring cities. Consensus was given to advertise the reduced millage rate and solid waste fee and the increased fire fee as proposed by City Manager Brooks with the fire fee to be discussed further at

the August 5 Commission Workshop.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Railey attended the Chamber of Commerce dinner and the Police Benevolent Association (PBA) luncheon. She commented that she receives positive feedback from the public about the City. She stated the men and women in blue and staff are a real tribute to the community. Commissioner Railey encouraged residents to utilize the County's 211 for information and services.

Commissioner Welch congratulated Mayor Tooley on her Home Rule Hero award from Florida League of Cities. She spoke about the Government Efficiency Taskforce, which was to look at election issues during the next legislative session. Commissioner Welch thanked everyone who had participated in developing the pamphlet regarding Lake Julie. She suggested sharing the information with other Homeowners Associations to assist with the maintenance of their lake banks.

Commissioner Sarbone attended the grand opening for the bicycle store, Trek Coconut Creek. He received communication from people asking about the splash pads not being available because of summer camp and asked if staff could review the summer schedule to balance the use between the summer camp program and public use.

Vice Mayor Rydell asked that there be a fire update at the next meeting and discussed an upcoming ribbon cutting for Calvary Church Coconut Creek located in the Village Shoppes Plaza. He thanked Police Chief Arenal for the increased law enforcement presence in response to the speeding issues. Vice Mayor Rydell received several complaints regarding an increase in Republic Services missing garbage pickups over the past few months and asked the Commission to share any customer service issues with City Manager Brooks. He shared details regarding a pilot program for a FEMA database.

Mayor Tooley discussed the PBA Officer of the Year award, and noted that they had recognized both Officer Andrew Renna as the 2019 Officer of the Year and Sergeant John McKinney as the 2020 Officer of the Year for Coconut Creek. She discussed issues with speeding and not heeding stop signs in the South Creek neighborhood and asked for increased enforcement. She shared details of the recent Solid Waste Working Group meeting and noted the next discussion was scheduled for July 7. She commented on attendance at the recent Pizza with the Popo event and looked forward to the next one.

ADJOURNMENT

The meeting was adjourned at 9:38 p.m.

Date